

**MINUTES OF THE EMERALD COAST UTILITIES AUTHORITY BOARD MEETING
HELD THURSDAY, JANUARY 25, 2018 AT 3:00 P.M. IN THE ECUA BOARD ROOM
AT 9255 STURDEVANT STREET, ELLYSON INDUSTRIAL PARK, PENSACOLA, FL**

Members present: Lois Benson, Chairman
Dale Perkins, Vice Chairman
Vicki Campbell
Elvin McCorvey
Larry Walker

Counsel present: Bradley S. Odom

Staff present: Steve Sorrell, Executive Director
Nathalie Bowers, Public Information Officer
Gabe Brown Director of Customer Service
John Daane, Director of Information Technology
Tim Haag, Director of Government Affairs
Stacey Hayden, Assistant Director of Engineering
Linda Iversen, Executive Assistant to the Board
Bill Johnson, Director of Engineering
Doug Patterson, Risk Management
Jim Roberts, Public Information Officer
Kim Scruggs, Assistant Director of Human Resources and
Administrative Services
Justin Smith, Assistant Director of Finance
Cindy Sutherland, Director of Human Resources and
Administrative Services

ITEM 1 – INVOCATION AND PLEDGE OF ALLEGIANCE

Prior to calling the regular meeting of the Board to order, Mr. Perkins provided the invocation and led the Pledge of Allegiance.

ITEM 2 – CALL TO ORDER

Chairman Benson called the regular meeting of the Emerald Coast Utilities Authority Board to order at approximately 3:00 p.m.

ITEM 3 – ADOPTION OF AGENDA

Chairman Benson added adjustment for frozen pipes to the agenda.

Mr. Sorrell informed the Board that a replacement attachment to Item 9(b) was before the Board.

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A motion was made by Dr. Walker, seconded by Mr. McCorvey, to approve the agenda as presented and amended. Motion carried 5-0.

ITEM 4 - PUBLIC HEARINGS:

There were no scheduled public hearings.

ITEM 5 – OPEN FORUM

(1) Mr. Lunel Iland, 8212 Li Fair Drive, Pensacola, FL, addressed the Board concerning damage that was done to his property in April 2016 when AT&T punctured a water line. Mr. Iland stated that the water main had been spotted but was about a foot off from the actual location of the main. Mr. Iland stated that ECUA was called at 9:00 a.m. but the crew did not show up until 2:00 p.m. Further, due to the late response/arrival of ECUA, his entire property had been flooded and his driveway had been undermined. Mr. Iland stated that ECUA only reimbursed him the amount of \$100 for the damage to his recently planted garden.

Mr. Iland stated that he has attempted to work with AT&T for the damage to his driveway and pictures have been provided to ECUA. The driveway only recently began to crack and lose concrete, and caused tire damage resulting in his having to replace the tires on his truck. Mr. Iland stated that he cannot get any response or action from AT&T.

Further, Mr. Iland stated that he is requesting reimbursement from ECUA for his driveway because if the ECUA crew would have not delayed getting the water line repaired, his property damage would not have been so extensive. Also, he has received an estimate in the amount of approximately \$5,000 for the replacement of his driveway.

Staff was requested to get with Mr. Iland to reach a resolution to this issue that is satisfactory to both parties.

(2) Mr. Barry Tweedie, 10395 Old Dairy Lane, Pensacola, FL, addressed the Board concerning the new meeting hour and Open Forum. Mr. Tweedie stated it appears more individuals are in attendance, although a vast majority of those are ECUA employees. Further, Mr. Tweedie suggested that the Board allow two Open Forums to occur so anyone arriving late to the meetings can have an opportunity to address the Board.

Mr. Tweedie also addressed the jargon and the fine print of the Consumer Confidence Report, stating that ECUA needs to make the public more aware of the quality of its water.

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Mr. Tweedie also inquired if ECUA places its meeting schedule in any other media other than the Pensacola News Journal. Mr. Odom responded that ECUA does advertise in other media.

Further, Mr. Tweedie expressed his concern with the ECUA sanitation customers in Santa Rosa County not having a voice at the ECUA Board meetings. Chairman Benson stated that the Santa Rosa customers do have a voice at the meetings during Open Forum, and Mr. Tweedie's suggestion for two Open Forum opportunities is a good idea.

Dr. Walker commented that he has always considered the Santa Rosa customers as part of District Five as they are at the northern end of Santa Rosa County. Further, those customers are ECUA customers and can contact any ECUA Board member with their concerns and issues.

(3) Mr. Thomas Henry, 3158 Gateway Lane, Cantonment, FL, addressed the Board concerning a subdivision project that he is attempting to develop, but has faced delays as a result of ECUA withdrawing their approval regarding a lift station and capacity. Mr. Henry stated that ECUA approved the project, allowed another developer to connect, and now has told him he could not connect. Mr. Henry provided a copy of an e-mail exchange between his engineer and ECUA.

Mr. Odom advised that this issue is now in litigation and it is difficult for the Board to have this conversation; further, this is not the best forum to discuss what the facts are. Also, there are issues and history that are not covered in Mr. Henry's handout. Mr. Odom stated he would be willing to discuss this issue individually with each Board member.

(4) Mr. Jim Homeyak, 366 Fort Pickens Road, Pensacola Beach, FL, addressed the Board concerning a 49-lot project (Ashland Heights) and the impact of the developer participation proposal – Item 8(i), presented by ECUA.

(5) Mr. David Peaden, Homebuilder's Association of West Florida, 4400 Bayou Blvd., Suite 45, Pensacola, FL, indicated he wished to address the proposed developer participation issue – Item 8(i).

It was requested that Mr. Homeyak and Mr. Peaden hold their comments until the Board gets to that item.

ITEM 6 - PRESENTATIONS:

There were no presentations.

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ITEM 7 - APPROVAL OF MINUTES:

A motion was made by Ms. Campbell, seconded by Dr. Walker, to approve the minutes of (a) the regular Board meeting of December 14, 2017 and (b) the special Board meeting of January 17, 2018, as presented. Motion carried 5-0.

ITEM 8 - REPORT OF THE ECUA CITIZENS' ADVISORY COMMITTEE 01/17/18

A motion was made by Ms. Campbell, seconded by Mr. Perkins, to approve the following recommendations for items F. through H. as presented. Motion carried 5-0.

F. Extension of Contract – Hydrofluosilicic Acid

Approve the optional one-year extension of the contract with Dumont/Hawkins Company, Apoka, FL, for the supply of hydrofluosilicic acid. This is the first of two one-year options to extend at the terms and rates contained in the existing contract, with funding from the appropriate budget line item.

G. Thousand Oaks Sewer Expansion – Change Order Request No. 4

Approve Change Order No. 4 for the Thousand Oaks Sewer Expansion project, in the amount of \$287,540.79, and authorize a transfer of funds in the amount of \$290,000 from CIP Project CS317 to CS318K - Thousand Oaks Sewer Expansion.

H. Biosolids Composting/Canopy – Construction Completion

(a) Authorize the Executive Director to negotiate a change order with Utility Service Company, Inc., under their current contract for the additional site work and construction of the canopy foundation; (b) confirm award of contract for the reassembly of the canopy structure to Signature Structures, LLC; (c) authorize the Executive Director to amend the current contract with Baskerville Donovan, Inc., for additional professional services as needed; and (d) authorize payment from the funds from CIP Projects CS425 and CS425A, along with a transfer of \$150,000 from Project Contingencies.

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I. Nine Mile Road-Detroit Boulevard Area Master Sewerage Plan and Developer Participation

A motion was made by Ms. Campbell, seconded by Dr. Walker, to (1) approve a project for the construction of a master sewerage plan to serve the Nine Mile Road-Detroit Boulevard area with funding through the ECUA Capital Improvement Program in the fiscal year 2019 (and subsequent) year(s); and (2) approve and adopt a policy requiring those who develop new water and wastewater connections within the sewerage drainage basin which will flow into the contemplated regional lift station, as is generally shown on Exhibit A, to contribute a cost share in the amount of \$1,600 per Equivalent Residential Connection (ERC) with such funds collected to be applied to the completion of the master sewerage plan for the referenced area or other improvements as necessary for the safe and effective provision of sewer service in the referenced area, said policy to remain in effect for all future water and sewer connections in the subject area or until the policy is replaced by some other policy enacted by the Board.

Mr. Odom stated that this policy would only affect the project(s) basin/boundary as shown on the map and would not affect any other sewerage basins.

Mr. Homeyak addressed the board stating that he does not have a problem with the policy.

Mr. Peaden addressed the Board stating that in his recent homebuilders' meeting, most of the developers were against such a policy and he had been assured by staff that action would not be taken at this meeting. Mr. Peaden requested that the Board not act on the policy at this time to allow further consideration/evaluation of the issue by all – that the item be tabled.

Mr. Henry also addressed the Board speaking against such a policy.

An amended motion was made by Mr. Perkins that this policy shall not apply to any area outside the project boundaries reflected on Exhibit A. Additionally, ECUA shall not impose multi-developer developer cost-shares without all of the affected developers' prior approval. *Motion died for lack of a second.*

A substitute motion was made by Dr. Walker, seconded by Mr. McCorvey, that no action be taken on this item and simply let it be returned back to the Committee that tabled it. Motion failed 2-3 with Mr. Perkins and Messes. Benson and Campbell voting against the motion.

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Mr. Perkins indicated that he would prefer that the Board take action on the motion rather than delay it – either vote it up or vote it down.

The vote on the original motion as made by Ms. Campbell, seconded by Dr. Walker, failed 1-4 with Mr. McCorvey voting for the motion.

Chairman Benson called for a recess at approximately 4:46 p.m. – the meeting was reconvened at 4:56 p.m.

ITEM 9 - OPERATIONAL ITEMS:

(a) **Award of bid – Oakcrest lift station (No. 118) upgrade**

A motion was made by Mr. Perkins, seconded by Mr. McCorvey, to award the contract for the Oakcrest Lift Station (No. 118) Upgrade project to Utility Service Company, Inc., Gulf Breeze, Florida, the low bidder, in the total amount of \$477,558.98, with funding provided by a transfer in the amount of \$500,000.00, from CIP Project RS121 to CIP Project RS121H. Motion carried 5-0.

(b) **Investment Management Services**

A motion was made by Mr. McCorvey, seconded by Mr. Perkins, to authorize the Executive Director to sign the first addendum to the agreement for a one-year extension of the contract with Public Trust Advisors under the same terms and conditions as outlined in the original contract. Motion carried 5-0.

ITEM 10 - INFORMATIONAL REPORTS

None.

ITEM 11 - EXECUTIVE DIRECTOR'S REPORT

Mr. Sorrell also provided an update on the status of the following:

- (a) Guillemard tank project
- (b) Pensacola Beach tank project
- (c) Agreement with Gulf Breeze

ITEM 12 - ATTORNEY'S REPORT

Mr. Odom reported that (1) the Creekwood agreement has been finalized and engineering is underway; (2) the request for eminent domain is still with the County and the County has indicated they may have some property to

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donate to ECUA and further talks are continuing with the property owner; (3) the 1998 water supply agreement with Orange Beach Water Authority is being updated and the agreement will be brought to the Board for consideration next month; (4) the Surety for the Nine Mile Road utility relocation project is now seeing some of the problems ECUA has been experiencing with the contractor; and (5) the Innerarity Island potable water system transition date is fast approaching, with a final completion date scheduled for March 1, 2018.

ITEM 13 - UNFINISHED BUSINESS

None.

ITEM 14 - NEW BUSINESS

(a) Adjustments for frozen pipes (Benson)

Chairman Benson commented that staff has devised a method of calculation that will be used regarding water line leaks due to breakage of frozen pipes resulting from the recent winter conditions.

ITEM 15 - BOARD COMMUNICATIONS

Chairman Benson reported on her attendance at the Board of County Commissioners meeting at which the Innerarity Island water system was discussed, stating it is a nice state of affairs to have two public agencies working together to get things accomplished.

ITEM 16 - ADJOURNMENT

There being no further business to come before the regular meeting of the Emerald Coast Utilities Authority Board, Chairman Benson declared the meeting adjourned at approximately 5:07 p.m.

Respectfully submitted,



Stephen E. Sorrell
Executive Director and
Secretary

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APPROVED BY THE ECUA BOARD
IN REGULAR SESSION ON February 22, 2018

- (x) Without corrections/amendments.
- () With corrections/amendments being: